ATTORNEY DOCKET NO: KCX-839 (1897)

MAY 2 9 1007

ATTORNEY DOCKET NO: KCX-839 (1897)

MacDonald et al.

Group Art Unit: 3735

n re A	pplicati	OROF	MacDonald, et al.) Group Art Unit:	3735
Serial	No:		10/687,270) Examiner:	Robert Nasser
Filed:			October 16, 2003	Our Account No:	04-1403
Confir	mation 1	No:	9987) Customer No:	22827
Γitle:			Visual Indicating Device for Bad Breat) h)	
J.S. P	issioner atent and	d Trader	ents mark Office		
	ndria, V		3-1450	05/30/2007 EAREGAY1 E	
Sir:			*	01 FC:1806	189.09 GP
	llowing and 1.98.		formation Disclosure Statement for the ca	aptioned patent application, pursu	ant to 37 CFR Sections 1.56,
l.[x]	Attach	ed here	to is:	•	
	a.[x]	A list	of materials for consideration per Rule 98	B(a)(1): <u>3</u> page(s) citing <u>37</u> ite	ems
	b.[x]	98 and	ble copy of each patent, publication, or or of the distriction or	ther item listed per Rule 98(1)(2)	, unless not required per Rule
	c.[]	thereo	nch non-English language item listed, purs of as it is presently understood by the indi- nt of such items:		
			ch explanation is provided in the Search F with any enclosed translation into English		lication enclosed herewith
2.[x]	This I	ıformati	ion Disclosure Statement is being filed [C	CHECK ONE]:	
	a.[]	after a	IIN THREE MONTHS of the application request for continued examination, <u>OR</u> Is, which ever event occurs last, <u>WHEREF</u> uired.	BEFORE the mailing date of a fir	st Office Action on the
	b.[x]	AFTE action ONE]	R the time periods of section 2.a above, be that otherwise closes prosecution, WHEI:	out BEFORE a Final Action, Not <u>REFORE</u> PER Rule 97(c) submi	ice of Allowance <u>OR</u> an tted herewith is [CHECK
		i.[]	Certification per Rule 97(e); OR		e e
		ii[x]	Filing Fee per Rule 17(p)		\$180.00
	c.[]		ER a Final Action <u>OR</u> Notice of Allowanc 97(d) submitted herewith is:	e, but BEFORE payment of the	ssue fee, WHEREFORE per
		i.	Certification per Rule 97(e); AND		
		ii.	Filing fee per Rule 17(p)		\$180.00
3.[]		7(e) Ce CK ONI	rtification; per Rule 97(e), the undersigne E]:	ed certifying party make the follo	wing certification statement
	a.[]		each item of information contained in this		

a.[] That each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; <u>OR</u>

b.[] That no item of information contained in this Information Disclosure Statement was cited in a foreign patent office in a counterpart foreign application and to the knowledge of the undersigned after making a reasonable inquiry, was known to any individual designated in Rule 56(c) more than three months prior to the filing of this statement.

		made by signer per signature below). Name: Address:	Signature: Date:
4.[x]	author herewi now or overpa	ized hereafter, or any fees in addition to ith or concerning any paper filed hereafter r hereafter relative to this application and	The Commissioner is hereby authorized to charge any fee specifically the fee(s) filed, or asserted to be filed, or which should have been filed; and which may be required under Rules 16-18 (deficiency only) d the resulting official document under Rule 20, or credit any be heading hereof for which purpose a duplicate copy of this sheet is large of the issue fee in this case.
5.[x]		TFICATE OF MAILING: This Informate PLETE ONE]:	tion Disclosure Statement is being filed pursuant to [CHECK AND
	a.[x]	First Class Mail Certificate of Mailing	under Rule 8:
			ce and any referenced attachment and/or fee are being deposited with st class mail in an envelope addressed to the:
		Commissioner for Patents U.S. Patent and Trademark Office Post Office Box 1450 Alexandria, VA 22313-1450	
		on May 24, 2007.	
v		Margaret Giordani (Typed/printed name of person mailing) (Signature of person mailing paper or	ardoli
	b.[]	"Express Mail" Certificate under Rule	
		"Express Mail" – Label No Date of Deposit	
			attachments and any fee are being deposited with the U.S. Postal Addressee" service under 37 CFR 1.10 on the date indicated above an
		Commissioner for Patents U.S. Patent and Trademark Office Post Office Box 1450 Alexandria, VA 22313-1450.	
		(Typed/printed name of person mailin	g paper or fee)
		(Signature of person mailing paper or	fee)
	ffice Bo		DORITY & MANNING, ATTORNEYS AT LAW, P.A.
Custo	mer ID 1	C 29602 USA No.: 22827	By: Christina L. Mangelsen, Patent Agent
		64-271-1592 64-233-7342	Reg. No: 50,244
			Signature: Sustaina Mengelar
			D-4 May 24 2007

DM-10/2003 Sheet 1 of 3 Attorney Docket Number: Serial Number: Information Disclosure Statement List KCX-839 (18971) 10/687,270 By Applicant(s) Applicant: Under 37 CFR Section 1.98(a) (1) MacDonald et al. (Use several sheets if necessary) Filing Date: Group Art Unit: October 16, 2003 3735

NOTE:

If no indication is made in the column marked "COPY NOTE," the required legible copy of the corresponding item is submitted herewith; otherwise, a copy is not required and/or not submitted, for the following reason(s) [corresponding reason number is listed in "COPY NOTE" column]"

Confirmation No: 9987

(1) This item is cumulative, per Rule 98(c)

A copy of this item was previously cited by or submitted to the U.S. Patent and (2) Trademark Office in:

USSN filed . , filed USSN Relied on under 35 U.S.C. Section 120, per Rule 98(d)

Both reasons (1) and (2) apply (3)

No legible complete copy is possessed, in custody of controlled, or readily (4)

available

(5) Per the U.S. Patent and Trademark Office's waiver of Rule 98(a)(2)(i), the item is a U.S. patent or patent application publication, and the present application was filed after June 30, 2003.

EXAMINER	PATENTEE NAME	PA	TENT	NUM	IBER				ISSUE	COPY
INITIALS									DATE	NOTE
	Catt et al.	5	4	6	7	7	7	8	11/21/1995	5
	Coley et al.	5	6	5	7	7	6	2	08/19/1997	5
	Anapliotis	6	1	2	3	6	7	6	09/26/2000	5
	Catt et al.	6	2	3	4	9	7	4	05/22/2001	5
	Catt et al.	6	4	0	3	3	8	0	06/11/2002	5
	Catt et al.	6	4	5	1	6	1	9	09/17/2002	5
	Catt et al.	6	4	5	4	7	2	6	09/24/2002	5
	Coley et al.	6	5	8	5	6	6	3	07/01/2003	5
	Catt et al.	6	9	2	7	0	6	4	08/09/2005	5

U.S. PATENT APPLICATION PUBLICATIONS												
EXAMINER	APPLICANT'S	NAME	PU	BLI	CAT	CION	J NU	ЈМВ	ER		PUBLICATION	COPY
INITIALS											DATE	NOTE
	Kaga et al.	2002	0	1	1	1	5	6	1	A1	08/15/2002	5
	Coley et al.	2004	0	2	3	5	1	8	3	A1	11/25/2004	5
	Coley et al.	2005	0	1	3	0	3	1	1	A1	06/16/2005	· 5
	Catt et al.	2005	0	1	7	1	4	5	4	Al	08/04/2005	5
	Williams	2005	0	1	9	6	8	1	2	A1	09/08/2005	5

FOREIGN PAT	FOREIGN PATENT DOCUMENTS										
EXAMINER INITIALS	COUNTRY	DOCUMENT NUMBER	PUBLICATION DATE	TRANSLATION		COPY NOTE					
	l		8	YES	NO	N/A					

*"NO" means that no copy of an English language translation is within the possession, custody, or control of, or is readily available to any individual designated in Rule 56(c).

EXAMINER	OTHER DOCUMENTS	COPY
INITIALS	Specify author (if any), Title, Pertinent Pages, Date & Place of Publication	NOTE
	Albrecht, B.H., Fernando, R.S., Regas, J., Betz, G., (1985), "A new method for predicting and confirming ovulation." <i>Fertility and Sterility</i> , 44(2), 200-5.	
	Antuni, J.D., Kharitonov, S.A., Hughes, D., Hodson, M.E., Barnes, P.J., (2000), "Increase in exhaled carbon dioxide during exacerbations of cystic fibrosis" <i>Thorax</i> , 55, 138-142	

(Rev. 5/92)	Attorney Docket Number:	Serial Number:						
Information Disclosure Statement List	KCX-839 (18971)	10/687,270						
By Applicant(s)	Applicant:							
Under 37 CFR Section 1.98(a) (1)	MacDonald et al.							
(Use several sheets if necessary)	Filing Date:	Group Art Unit:						
	October 16, 2003	3735						
	Confirmation No:							
	9987							

	The state of the s		
	Article - Standard Practice for Obtaining Spectrometric Data for		
İ	Object-Color Evaluation, Published by ASTM International,		
	Designation: E 1164-02		
İ	Bischoff, R., Moenke-Wedler, T., Bischoff, G., (2000), "On-line		
	detection of volatile compounds in human breath", 4th European		
	Congress of Oto-Rhino Laryngology, head and neck surgery, pp1369-		
	1375		
	Diskin, A.M., Spanel, P., Smith, D., (2003), "Increase of acetone and		
	ammonia in urine headspace and breath during ovulation quantified		
	using selected ion tube mass spectrometry" Physiological Measurement,		
	24 , 191-199		
	Felton, M.J., (2004), "Sniffing Sinusitis" Today's Chemist At Work, June		
	2004 (http://www.tcawonline.org)		
	Horvath, I., Loukides, S., Wodehouse, T., et al, (1998), "Increased		
	levels of exhaled carbon monoxide in bronchiectasis, a new marker of		
	oxidative stress", Thorax, 53, 867-870		
	Ito, S., Kohli, Y., Kato, T., Abe, Y., Ueda, T. (1994), "Significance of		
	ammonia produced by helicobacter pylori" European Journal of	. 1	
	Gastroenterology & Hepatology, 6,167-174.		
	Lemoyne, M., Van Gossum, A., Kurian, R., Ostro, M., Axler, J.,		
	Jeejeebhoy, K.N., (1987), "Breath pentane analysis as an index of lipid		
	peroxidation, a functional test of vitamin E status" American Journal of		
	Clinical Nutrition, 46, 267-272		
	Loweit, K., Hoppichler, F., Ledermüller, G., (1990), "Ovulation		
	prediction from cyclic changes in salivary electrical conductivity."		
	American Journal of Obstetrics and Gynecology, 163(2), 708-710.		
	Megraud, F. et al., (2005), "Comparison of non-invasive tests to detect		
	helicobacter pylori infection in children and adolescents, results of a		
	multicenter European study" Journal of Pediatrics, 146, 198-203	1	
	Philips, M., Greenburg, J., (1992), "Ion-trap detection of volatile organic		
	compounds in alveolar breath" Clinical Chemistry, 38, 60-65		
	Prout, R.E., et al, (1970) A Relationship Between Human Oral Bacteria		
	and the Menstrual Cycle,., The Journal of Periodontology, pp 30-33		
	Rea, J., Williams, D., (2002), "Shaping exhale durations for breath CO		
	detection for men with mild mental retardation" Journal of Applied		
	Behavior Analysis, 35, 415-418		
1/1/17	Queiroz, C.S., Hayacibara, M.F., Tabchoury, C.P., Marcondes, F.K.,		
	Cury, J.A., (2002), "Relationship between stressful situations, salivary		
	flow rate and oral volatile sulfur-containing compounds" European	li	
	Journal of Oral Sciences, 110, 337-340	1	
	Sehnert, S.S., Jiang, L., Burdick, J.F., Risby, T.H., (2002), "Breath		
	biomarkers for detection of human liver diseases, preliminary study"		
	Biomarkers, 7, 174-187	1	
-	Skelley, D.S., (2000), "E-nose technologies promise new diagnostic		
	instruments" IVD Technology, January-February issue		
	Springfield, J.R., Levitt, M.D., (1994), "Pitfalls in the use of breath		
	pentane measurements to assess lipid peroxidation" Journal of Lipid		
	Research, 35, 1497-1504		
	Tonzetich, J., Preti, G., Huggins, G.R., (1978A), "Changes in		
	Concentration of Volatile Sulfur Compounds of Mouth Air during the		
	Menstrual Cycle" Journal of International Medical Research, 6, 245-254		
	Tonzetich, J., (1978B), "Oral malodour: an indicator of health status and	\vdash	•
	oral cleanliness" International Dental Journal, 28, 309-19		
	de Winder-de Groot, K.M., van der Ent, C.K., Prins, I., Tersmette, J.M.,	\vdash	
	Uiterwaal, C.S.P.M., (2005), "Exhaled nitric oxide, the missing link		
l	between asthma and obesity" Journal of Allergy and Clinical		
	Immunology, 115, 419-420		

(Rev. 5/92)	Attorney Docket Number:	Serial Number:					
Information Disclosure Statement List	KCX-839 (18971)	10/687,270					
By Applicant(s)	Applicant:						
Under 37 CFR Section 1.98(a) (1)	MacDonald et al.						
(Use several sheets if necessary)	Filing Date:	Group Art Unit:					
	October 16, 2003	3735					
	Confirmation No:						
	9987						

	Yamaya, M., Sekizawa, K., Ishizuka, S., et al, (1998), "Increased carbon monoxide in exhaled air of subjects with upper respiratory tract infections", <i>Journal of Respiratory Critical Care Medicine</i> , 158 , 311-314					
	Zayasu, K., Sekizawa, K., Okinaga, S. et al, (1997), "Increased carbon monoxide in exhaled air of asthmatic patients", Journal of Respiratory Critical Care Medicine, 156, 1140-1143					
EXAMINER			ATE DNSIDERED			
Examiner: initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.						